

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

FCC 12M-38

In the Matter of	)	EB Docket No. 11-71
)	
MARITIME COMMUNICATIONS/LAND	)	File No. EB-09-IH-1751
MOBILE, LLC	)	FRN: 0013587779
)	
Participant in Auction No. 61 and Licensee of)	
Various Authorizations in the Wireless Radio)	
Services)	
	)	Application File Nos.
Applicant for Modification of Various	)	0004030479, 0004144435,
Authorizations in the Wireless Radio Services	)	0004193028, 0004193328,
	)	0004354053, 0004309872,
Applicant with ENCANA OIL AND GAS (USA),	)	0004310060, 0004314903,
INC.; DUQUESNE LIGHT COMPANY, DCP	)	0004315013, 0004430505,
MIDSTREAM, LP; JACKSON COUNTY	)	0004417199, 0004419431,
RURAL MEMBERSHIP ELECTRIC	)	0004422320, 0004422329,
COOPERATIVE; PUGET SOUND ENERGY,	)	0004507921, 0004153701,
INC.; ENBRIDGE ENERGY COMPANY,	)	0004526264, 0004636537,
INC.; INTERSTATE POWER AND LIGHT	)	and 0004604962
COMPANY; WISCONSIN POWER AND)	
LIGHT COMPANY; DIXIE ELECTRIC)	
MEMBERSHIP CORPORATION, INC.;)	
ATLAS PIPELINE-MID CONTINENT, LLC;)	
DENTON COUNTY ELECTRIC)	
COOPERATIVE, INC., DBA COSERV)	
ELECTRIC; AND SOUTHERN)	
CALIFORNIA REGIONAL RAIL)	
AUTHORITY)	
)	
For Commission Consent to the Assignment of)	
Various Authorizations in the Wireless Radio)	
Service)	

ORDER

Issued: August 2, 2012

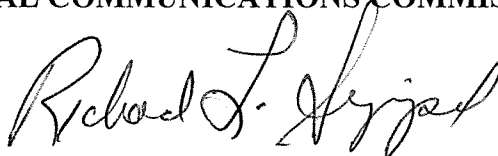
Released: August 2, 2012

In furtherance of Prehearing Conference discussions of August 1, 2012, the following tasks were assigned:

1. Pinnacle to furnish copy of its lease with Maritime.[Done.]

2. In furtherance of completing EB's discovery of Maritime under Issue (g), Maritime is to flush out data on EB's chart (copy attached) which shows only EB's present accounting of Maritime's stations' operating statuses as of August 1, 2012.¹
3. Maritime to provide to Presiding Judge and all parties its Final Amended Disclosure Statement believed to have been filed with the Bankruptcy Court on or about July 30-31, 2012.
4. EB to furnish Presiding Judge *alone* each LOI sent to Maritime (and/or Mobex) and responsive documents received by EB from 2010 to the present.
5. Robert H. Jackson, Esq. to submit a *Status Report* which he will prepare in conjunction with Warren Havens (*fact provider only*) concerning certain geographic and or site licenses referred to directly or by inference in Mr. Warren's stricken on-the-record proffer.²

FEDERAL COMMUNICATIONS COMMISSION³



Richard L. Sippel
Chief Administrative Law Judge

¹ See also Maritime's Report Per Order FCC 12M-36 submitted August 1, 2012. Maritime is to file its related expanded and explanatory document by **August 9, 2012**, which is to be completed in accord with its on-the-record commitment, and which will include identification of known point of contact persons.

² Because Mr. Havens failed to adhere to instructions of Presiding Judge concerning attorney representation in Order FCC 12M-16, his attempted proffer was stricken on Pinnacle's open-court motion, with leave to refile through Havens' counsel, Robert H. Jackson, Esquire, one of Mr. Havens' current attorneys.

³ Courtesy copies of this Order were sent on issuance by e-mail to each counsel and to Mr. Warren Havens.

**MARITIME'S INTERROGATORY DEFICIENCIES ON OPERATING STATUS AS OF 8/1/12 – DISCOVERY
THE ENFORCEMENT BUREAU STILL NEEDS ON ISSUE G**

Category A: Stations For Which Maritime Has Not Provided Any Operational Information

- As to each Call Sign and Location, is it currently operating and offering any type of service?
- As to any Call Sign and Location that is not currently operating, the date operations ceased and the reason why.
- As to each Call Sign and Location, has it been operating and offering any type of service since Maritime's acquisition in 2005? If not, why not?

Call Sign	Frequency
KAE889	3
KAE889	4
KAE889	13
KAE889	20
KAE889	30
KAE889	34
KAE889	48
KAE889	6
KAE889	12
KAE889	22
KAE889	46
WHG702	Block B
WHG703	Block B
WHG708	Block B
WHG709	Block B
WHG710	Block B
WHG712	Block B
WHG714	Block B
WHG715	Block B
WHG719	Block B
WHG720	Block B
WHG721	Block B
WHG723	Block B
WHG725	Block B
WHG726	Block B
WHG733	Block B
WHG734	Block B
WHG735	Block B
WHG737	Block B
WHG741	Block B
WHG743	Block B
WHG746	Block B
WHG750	Block B

Call Sign	Frequency
WHG751	Block B
WHG752	Block B
WHV733	1
WHV733	2
WHV733	3
WHV740	2
WHV843	1
WHV843	5
WHV843	6
WRV374	12
WRV374	15
WRV374	25
WRV374	39
WRV374	14
WRV374	18
WRV374	26
WRV374	33
WRV374	35
WRV374	40
WRV374	8
WRV374	16
WRV374	19
WRV374	20
WRV374	22
WRV374	23
WRV374	31
WRV374	34

Category B: Stations For Which Maritime Has Not Provided any Reasons for Service Interruption or Confirmed Earlier Operation

- Was this facility operating and offering any type of service between Maritime's acquisition in 2005 and the Service Suspension Date? If so, what were the dates of operation? If not, why not?
- Why did operations cease by the Service Suspension Date?
- Have operations resumed? If not, why not?

Call Sign	Frequency	Service Suspension Date ¹
WHG747	Block B	No service since May 2010
WHG711	Block B	No service since 2008

¹ See Limited Joint Stipulation Between EB and Maritime, filed May 31, 2012

Category C: Stations For Which Maritime Has Not Confirmed Earlier Operation

- Was this facility operating and offering any type of service between Maritime's acquisition in 2005 and the Service Suspension Date? If so, what were the dates of operation? If not, why not?
- Have operations resumed? If not, why not?

Call Sign	Frequency	Service Suspension Date ²	Reason for Suspension ³
WHG705	Block B	April 2010	Utilities disconnected
WHG706	Block B	May 2009	Utilities disconnected
WHG707	Block B	2005	Lost tower or site
WHG713	Block B	June 2010	Utilities disconnected
WHG716	Block B	September 2010	Utilities disconnected
WHG717	Block B	August 2010	Utilities disconnected
WHG718	Block B	April 2010	Utilities disconnected
WHG722	Block B	May 2011	Lost tower or site
WHG724	Block B	January 2011	Utilities disconnected
WHG727	Block B	May 2010	Utilities disconnected
WHG728	Block B	August 2010	Utilities disconnected
WHG729	Block B	December 2010	Utilities disconnected
WHG730	Block B	September 2010	Utilities disconnected
WHG731	Block B	March 2010	Utilities disconnected
WHG732	Block B	March 2010	Utilities disconnected
WHG736	Block B	October 2010	Utilities disconnected
WHG738	Block B	February 2010	Utilities disconnected
WHG739	Block B	August 2011	Lost tower or site
WHG740	Block B	January 2010	Utilities disconnected
WHG742	Block B	May 2010	Utilities disconnected
WHG744	Block B	May 2010	Utilities disconnected
WHG745	Block B	2010	Lost tower or site
WHG748	Block B	June 2010	Utilities disconnected
WHG749	Block B	March 2010	Utilities disconnected
WHG753	Block B	October 2009	Lost tower or site
WHG754	Block B	2011	Lost tower or site

² See Limited Joint Stipulation Between EB and Maritime, filed May 31, 2012

³ See Maritime's Errata and Additional Information Regarding Amended and Further Supplemental Response to Interrogatories, filed March 19, 2012.